2021 Special Session I

Budget Bill - HB1800 (Chapter 552)

Department of Forestry

Item 107

	First Year - FY2021	Second Year - FY2022
Forest Management (50100)	~~$36,508,061~~ ***$35,824,907***	~~$36,831,653~~ ***$37,115,564***
Reforestation Incentives to Private Forest Land Owners (50102)	~~$3,977,197~~ *$4,345,039*	~~$4,384,039~~ *$4,345,039*
Forest Conservation, Wildfire &Watershed Services (50103)	~~$26,886,048~~ *$25,835,052*	~~$26,802,798~~ *$26,835,709*
Tree Restoration and Improvement, Nurseries &State-Owned Forest Lands (50104)	$4,744,816	~~$4,744,816~~ *$5,034,816*
Financial Assistance for Forest Land Management (50105)	$900,000	$900,000
Fund Sources:		
General	~~$21,094,319~~ *$20,411,165*	~~$21,417,911~~ *$21,701,822*
Special	$10,927,516	$10,927,516
Trust and Agency	$106,538	$106,538
Dedicated Special Revenue	$89,535	$89,535
Federal Trust	$4,290,153	$4,290,153

Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.

A. The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations.

B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 479 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget.

C. The department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the department may charge an administrative fee for this service.

D. The Department of Forestry, in cooperation with the Department of Corrections, shall increase the use of inmate labor for routine and special work projects in state forests.

E. The appropriation in Reforestation Incentives to Private Forest Land Owners includes $1,945,239 the first year and $1,945,239 the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia.

F. Out of this appropriation, $2,126,126 the first year and $2,126,126 the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program.

G. The department is authorized to enter into agreements with private entities for the active operational life of the tower located at 900 Natural Resources Drive in Albemarle County, Virginia. Notwithstanding any other provision of law, any revenues received from such agreements shall be retained by the department and used for forest land management.

H.1. The State Comptroller shall continue the Virginia State Forest Mitigation and Acquisition Fund and the Long Term Mitigation Fund as established in Item 102, Chapter 806, 2013 Acts of Assembly. All moneys in these funds shall be used as provided for in this Item and in Item 102, Chapter 806, 2013 Acts of Assembly, and Item 98, Chapter 665, 2015 Acts of Assembly.

2.a. With the exception of the amounts prescribed in paragraph H.2.b. of this item, the Virginia State Forest Mitigation and Acquisition Fund shall be used solely for forest land or conservation easement acquisition.

b. The Long Term Mitigation Fund shall be used solely for long term management of the Cumberland State Forest Stream Buffer Preservation Stewardship Plan.

3. For any such future mitigation projects, no state forest land shall be used to provide compensatory mitigation for wetland or stream impacts of any public or private project until such time as due consideration has been given to the availability of mitigation credits available from private sources. State forest land means all sites, roadways, game food patches, ponds, lakes, streams, rivers, beaches, and lakes to which the Department of Forestry holds title for use, development, and administration.

I. The department is authorized to sell properties and timber located at the following: 16520 Five Forks Road, Amelia, Virginia, 23002; 26401 Blue Star Highway, Emporia, Virginia, 23847; 11260 Jessie Dupont Memorial Highway, Kilmarnock, Virginia, 22482; 152 Maury River Road, Lexington, Virginia, 24450; and 2080 Sowers Road NE, Floyd, Virginia, 24091. Notwithstanding any other provision of law, the net proceeds of these transactions shall be deposited into the general fund.

J. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for the Virginia Natural Resources Leadership Institute.

K. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided to increase bandwidth capacity at the agency's offices in Abingdon, Appomattox-Buckingham State Forest, New Kent, Salem, and Tappahannock.

L. Out of the amounts in this item, ~~$154,000 the first year and~~ $521,842 the second year from the general fund is provided for a Hardwood Forest Habitat initiative. Not later than October 15, 2021, the State Forester shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee a report on the proposed landowner incentive program for hardwood forest management identifying (i) potential hardwood forest operators eligible for participation in the program; (ii) effective hardwood forest management practices and potential landowner incentives; (iii) the amount of revenue collected annually from existing hardwood forest operations subject to the Forest Product Tax pursuant to Chapter 16 of Title 58; and (iv) the estimated annual costs and long term benefits of the Hardwood Forest Habitat program.

M. The Department of Forestry shall convene a stakeholder workgroup for the purpose of developing and providing recommendations to state and local governments related to policies which encourage the conservation of mature trees and tree cover on sites being developed, increase tree canopy cover in communities, and to encourage the

planting of trees. The stakeholder workgroup shall also examine Virginia's existing enabling statutes and their use related to the preservation, planting, and replacement of trees during the land development process, including, but not limited to, §§ 15.2-960, 15.2-961, 15.2-961.1, and 15.2-961.2, Code of Virginia, and recommend potential changes to those sections that would enhance the preservation, planting, and replacement of trees during the land development process and incentives for the preservation, planting, or replacement of trees during the land development process. The stakeholder workgroup shall be composed of representatives of the residential and commercial development and construction industries, agricultural and forestry industry representatives, professional environmental technical experts, representatives of local governments, and other affected parties who the Department of Forestry deems necessary. The Department shall provide a report detailing findings, recommendations, and draft legislation of the workgroup to the Chairs of the House Agriculture, Chesapeake and Natural Resources and Senate Agriculture, Conservation and Natural Resources Committees no later than November 1, 2021, and shall include in the report recommendations for draft legislation to encourage the conservation of tree cover and mature trees, or the planting of trees.